

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
CHATTANOOGA**

ANGEL NICOLE SHERRARD, *et al.*,

Plaintiffs,

~v~

CITY OF EAST RIDGE, *et al.*,

Defendants.

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No. 1:22-cv-200-CLC-SKL
JURY DEMAND

**PLAINTIFFS' DAUBERT MOTION TO STRIKE OR EXCLUDE
DEFENDANT CITY OF EAST RIDGE'S EXPERT THOM CORLEY, JD
TESTIMONY AND REPORT**

Plaintiffs, through counsel, pursuant to FED. R. CIV. P., Rule 702 and Daubert v. Merrell Dow Pharmaceuticals, Inc., 509 U.S. 579 (1993), moves this Court to strike or otherwise to exclude the written report, opinions, and any testimony of Thom Corley, JD ("Corley") offered by Defendant City of East Ridge ("City").

Plaintiffs filed suit against multiple members of the City Police Department for violations of their civil rights under the U.S. Constitution and for torts under state law. (DE 1-2). Plaintiffs alleged, among other things, that the City had a custom and practice of tolerating misconduct of its police officers. (DE 1-2, PageID #: 23-26). Plaintiffs also asserted that the City tolerated the misconduct of the individual defendants in this matter. (DE 1-2 *in passim*).

The City offered Corley as their expert. (Report of Corley attached hereto). However, Corley's report and proffered opinions thus far read more like a motion for summary judgment (at best) or simple recitations of law with little to no analysis of the *facts* of this case. Additionally, he gives a naked opinion that the City has what should be

considered policies that generally meet the national standards for policing. Yet, Corley offers little proof that the City adheres to such policies.

Wherefore, Plaintiffs move this Court to strike or otherwise to exclude the written report (attached hereto), opinions, and any testimony of Thom Corley. Plaintiffs rely on their Memorandum of Law filed contemporaneously with this Motion as further support of this Motion.

Respectfully submitted,

By: /s/ Robin Ruben Flores
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CERTIFICATE OF SERVICE

I certify that I have delivered a copy of this motion to all persons noted on the electronic filing receipt and so delivered on the date and time shown on the same receipt.

By: s/ Robin Ruben Flores